

REMARKS

Applicants thank the Examiner for the detailed Office Action dated October 20, 2006. Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-15, 17-23, 25, 26 and 28-40 were pending in the application. No claims are requested to be cancelled. Claims 1-4, 9, 10, 14, 15, 17, 18, 23, 28 and 30-39 are currently being amended. Claims 41 and 42 are new.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-15, 17-23, 25, 26 and 28-42 are now pending in this application.

For simplicity and clarity purposes in responding to the Office Action, Applicants' remarks are primarily focused on the rejections of the independent claims (i.e., claims 1, 14, 15, 17, 18, 23, 28 and 37) outlined in the Office Action with the understanding that the dependent claims that depend from the independent claims are patentable for at least the same reasons (and in most cases other reasons) that the independent claims are patentable. Applicants expressly reserve the right to argue the patentability of the dependent claims separately in any future proceedings.

Claim Rejections – 35 U.S.C. § 112

On page 2 of the Office Action, independent claims 1, 23 and 28 and various dependent claims were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description and enablement requirements.

Claims 1, 23 and 28, as amended, find support generally throughout the detailed description and more specifically in paragraphs [0064] and [0065]. The Examiner rejected claims 1, 23 and 28 for Applicants' use of the term "proximity." Applicant has amended claims 1, 23 and 28 to instead recite "positioned adjacent to." The term "positioned adjacent to" is found in paragraphs [0064] and [0065].

Claims 1, 23 and 28, as amended, are enabled because the specification, in paragraph [64], illustrate an exemplary embodiment by stating "as the operator walks around vehicle 10 only those devices that are adjacent the operator are actuated and the operator is able to observe the devices." Claims 1, 23 and 28, as amended, are enabled because the exemplary embodiment disclosed that the operator is actuating these devices by manually entering commands into the handheld device while the operator is adjacent to these devices. In an exemplary embodiment discussed in paragraph [59], "PDA 60 acquires operator inputs to control the output state of the particular output device 40 [and] ... the operator changes the on/off state of the device to be on so that operator can observe whether the device is working properly."

Applicants respectfully submit that the detailed description reasonably conveys to one skilled in the art that the inventors had possession of the claimed invention and enables one skilled in the art to make and/or use the invention. Applicants respectfully submit that claims 1, 23 and 28, as amended, comply with the written description and enablement requirements of 35 U.S.C. § 112, first paragraph, and are patentable.

Accordingly, withdrawal of the rejection of independent claims 1, 23 and 28, as amended, and the claims which are dependent thereon is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

On page 2 of the Office Action, independent claim 28 and various dependent claims were rejected under 35 U.S.C. § 102(b) as being fully anticipated by U.S. Patent No. 6,421,593 (Kempen).

Applicants respectfully submit that Kempen does not anticipate claim 28, as amended. Kempen does not disclose a “portable handheld off-board computer locally disposed . . . to communicate wirelessly with the control system.” Kempen does not teach or suggest a device that communicates wirelessly. Further, Kempen does not disclose a “vehicle test program sequentially actuates the plurality of output devices as the portable handheld off-board computer moves around the equipment service vehicle, the portable handheld off-board computer manipulating the at least one of the plurality of output devices as the portable handheld off-board computer moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.” Applicant has avoided use of the phrase “capable of” in this limitation to more affirmatively recite this feature. Since Kempen does not teach or suggest this feature, Kempen does not anticipate.

Accordingly, Applicants respectfully submit that independent claim 28, as amended, and the claims which are dependent thereon are not anticipated by Kempen under 35 U.S.C. § 102(b) and are patentable.

Accordingly, withdrawal of the rejection of independent claim 28, as amended, and the claims which are dependent thereon is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

For simplicity and clarity purposes in responding to the Office Action, Applicants’ remarks are primarily focused on the rejections of the independent claims (i.e., claims 1, 14, 15, 17, 18, 23, 28 and 37) outlined in the Office Action with the understanding that the dependent claims that depend from the independent claims are patentable for at least the same reasons (and in most cases other reasons) that the independent claims are patentable. Applicants expressly reserve the right to argue the patentability of the dependent claims separately in any future proceedings.

Independent Claims 1 and 23

On page 3 of the Office Action, claims 1 and 23 and various dependent claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,421,593 (Kempen) in view of U.S. Publication No. 2004/0203974 (Seibel). Applicants respectfully traverse the rejection. None of the cited references, alone or in combination, disclose, teach, or suggest the subject matter recited in independent claims 1 and 23, as amended.

Kempen relates to “military vehicle” having a “cooperative control network with distributed I/O interfacing” (Kempen at col. 1, lines 17-18). In a particular embodiment, Kempen relates “to a military vehicle having a control system that is capable of reconfiguring itself in response to a failure mode operation” (Kempen at col. 1, lines 19-22). Seibel relates to a “maintenance notification [system] for a maintenance activity associated with a vehicle” (Seibel at col. 1, lines 9-10).

Kempen in combination with Seibel, would not have resulted in the subject matter recited in independent claim 1, as amended, because the proposed modification of Kempen in combination with Seibel does not disclose, teach or suggest a “vehicle test program [that] sequentially actuates the plurality of output devices as the personal digital assistant moves around the equipment service vehicle, the personal digital assistant manipulating the at least one of the plurality of output devices as the personal digital assistant moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.”

Kempen does not motivate, teach, or suggest the need for or any benefit of a “vehicle test program [that] sequentially actuates the plurality of output devices as the personal digital assistant moves around the equipment service vehicle, the personal digital assistant manipulating the at least one of the plurality of output devices as the personal digital assistant moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.” Kempen does not appear to motivate, teach, or suggest the need for or any

benefit of a personal digital assistant. Also, **Kempen does not appear to position a personal digital assistant adjacent to at least one of the plurality of output devices, which wirelessly communicate commands to further manipulate the output device.** **Siebel** does not motivate, teach, or suggest the need for or any benefit of a “vehicle test program [that] sequentially actuates the plurality of output devices as the personal digital assistant moves around the equipment service vehicle, the personal digital assistant manipulating the at least one of the plurality of output devices as the personal digital assistant moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.” The system in **Siebel does not appear to position a personal digital assistant adjacent to at least one of the plurality of output devices, which communicates commands to further manipulate the output devices.** The **Siebel** system appears to **only teach “generat[ing] a notification request” for system maintenance** (**Siebel**, abstract).

Similarly, **Kempen** in combination with **Siebel**, would not have resulted in the subject matter recited in independent claim 23, as amended, because the proposed modification of **Kempen** in combination with **Siebel** does not disclose, teach or suggest “wirelessly receiving a vehicle test program command from a programmed portable handheld off-board computer to initiate a vehicle test program, the vehicle test program **sequentially actuates the plurality of output devices** as the programmed portable handheld off-board computer moves around the equipment service vehicle, the programmed portable handheld off-board computer **manipulating at least one of the plurality of output devices as the programmed portable handheld off-board computer moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.**”

Kempen does not motivate, teach, or suggest the need for or any benefit of a method of “wirelessly manipulating an equipment service vehicle” by “wirelessly transmitting I/O status information from a control system to a portable handheld off-board computer” and “wirelessly receiving a vehicle test program command from a programmed portable handheld off-board computer to initiate a vehicle test program, the vehicle test program sequentially actuates the

plurality of output devices as the programmed portable handheld off-board computer moves around the equipment service vehicle, the programmed portable handheld off-board computer manipulating at least one of the plurality of output devices as the programmed portable handheld off-board computer moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.” Also, **Kempen does not appear to position a programmed portable handheld off-board computer adjacent to at least one of the plurality of output devices**, which wirelessly communicates commands to further manipulate the output device. **Siebel** does not motivate, teach, or suggest the need for or any benefit of a method of “wirelessly receiving a vehicle test program command from a programmed portable handheld off-board computer to initiate a vehicle test program, the vehicle test program sequentially actuates the plurality of output devices as the programmed portable handheld off-board computer moves around the equipment service vehicle, the programmed portable handheld off-board computer manipulating at least one of the plurality of output devices as the programmed portable handheld off-board computer moves around the equipment service vehicle and is positioned adjacent to the at least one of the plurality of output devices.” The system in **Siebel does not appear to position a programmed portable handheld off-board computer adjacent to at least one of the plurality of output devices**, which communicates commands to further manipulate the output devices. The **Siebel** system appears to **only teach “generat[ing] a notification request” for system maintenance** (**Siebel**, abstract).

Claims 1 and 23, as amended, permit a user to perform tests on output devices as the user walks around the vehicle with the personal digital assistant or programmed portable handheld off-board computer of claims 1 and claim 23, respectively. As explained in the detailed description, the output devices adjacent to the user are manipulated by the handheld device thereby allowing the user to observe the output devices as the user walks around the vehicle (para. [0048], [0049] and [0062]-[0066]). Applicants respectfully submit that there is no motivation, teaching, or suggestion to combine the references in the manner asserted in the Office Action, nor would the combinations of references have resulted in the subject matter recited in independent claims 1 and 23, as amended, for the reasons stated above.

Applicants respectfully submit that the subject matter recited in independent claims 1 and 23, as amended, and the claims which are dependent thereon, considered as a whole, would not have been obvious to a person of skill in the art and are patentable. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).

Independent Claims 14, 15, 17 and 18

On page 4 of the Office Action, claims 14, 15, 17 and 18 and various dependent claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,421,593 (Kempen) in view of U.S. Publication No. 2004/0203974 (Seibel) and U.S. Patent No. 5,844,473 (Kaman). Applicants respectfully traverse the rejection. None of the cited references, alone or in combination, disclose, teach, or suggest the subject matter recited in independent claims 14, 15, 17 and 18, as amended.

Kempen relates to a “military vehicle” having a “cooperative control network with distributed I/O interfacing” (Kempen at col. 1, lines 17-18). In a particular embodiment, Kempen relates “to a military vehicle having a control system that is capable of reconfiguring itself in response to a failure mode operation” (Kempen at col. 1, lines 19-22). Seibel relates to a “maintenance notification [system] for a maintenance activity associated with a vehicle” (Seibel at col. 1, lines 9-10). Kaman relates to a system to “correlate and collect maintenance information (e.g., indicia of usage) on a number of vehicles” (Kaman at col. 2, lines 65-67).

Kempen in combination with Seibel and/or Kaman, would not have resulted in the subject matter recited in independent claims 14, 15, 17 and 18, as amended, because the proposed modification of Kempen in combination with Seibel and/or Kaman does not disclose, teach or suggest a control system “wherein the personal digital assistant device wirelessly initiates at least a vehicle test program for” each vehicle (claims 15 and 18) or a plurality of vehicles (claims 14 and 17) “that manipulates at least one of the plurality of output devices” and “the personal digital assistant generates a report that compares the results of the vehicle test

program manipulation for” each vehicle (claims 15 and 18) or a plurality of vehicles (claims 14 and 17) recited in independent claims 14, 15, 17 and 18, as amended.

Kempen does not motivate, teach, or suggest the need for or any benefit of a “personal digital assistant” receiving signals from the control system. Kempen does not appear to motivate, teach, or suggest the need for or any benefit of a personal digital assistant. Also, Kempen does not appear to show a “report that compares the results of the vehicle test program manipulation for” each vehicle (claims 15 and 18) or a plurality of vehicles (claims 14 and 17). Siebel does not motivate, teach, or suggest the need for or any benefit of a “personal digital assistant [that] wirelessly initiates at least a vehicle test program for each vehicle that manipulates at least one of the plurality of output devices” and “generates a report that compares the results of the vehicle test program manipulation for” each vehicle (claims 15 and 18) or a plurality of vehicles (claims 14 and 17). The Siebel system does not appear to manipulate output devices or generate reports that compare results of manipulating output devices. The Siebel system **appears to only teach “generat[ing] a notification request” for system maintenance without any device manipulation** (Siebel, abstract). Similarly, the Kaman system does not appear to show a “personal digital assistant [that] wirelessly initiates at least a vehicle test program for each vehicle that manipulates at least one of the plurality of output devices” and “generates a report that compares the results of the vehicle test program manipulation for” each vehicle (claims 15 and 18) or a plurality of vehicles (claims 14 and 17). The Kaman system does not appear to manipulate output devices or generate reports that compare results of manipulating output devices. The Kaman system **appears to only teach “correlate[ing] and collect[ing] maintenance information (e.g., indicia of usage) on a number of vehicles and provid[ing] maintenance recommendations via the display and printer”** (Kaman at col. 2, lines 65-67).

Applicants respectfully submit that the subject matter recited in independent claims 14, 15, 17 and 18, as amended, and the claims which are dependent thereon, considered as a whole, would not have been obvious to a person of skill in the art and are patentable. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).

Independent Claim 37

On page 5 of the Office Action, claims 37 and various dependent claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,421,593 (Kempen) in view of U.S. Publication No. 2005/0060246 (Lastinger). Applicants respectfully traverse the rejection. None of the cited references, alone or in combination, disclose, teach, or suggest the subject matter recited in independent claim 37, as amended.

Kempen relates to a “military vehicle” having a “cooperative control network with distributed I/O interfacing” (Kempen at col. 1, lines 17-18). In a particular embodiment, Kempen relates “to a military vehicle having a control system that is capable of reconfiguring itself in response to a failure mode operation” (Kempen at col. 1, lines 19-22). Lastinger relates to method, system, and computer program for “monitoring inventory in an inventory control framework” (Lastinger, abstract). In a particular embodiment, Lastinger relates to “storage units in a vehicle” where the “information received from each storage unit may relate to the weight of the load supported by” the storage unit, the location of the storage unit within the vehicle, and/or a unique identifier associated with the storage unit (Lastinger, para. [0008]).

Kempen in combination with Lastinger, would not have resulted in the subject matter recited in independent claim 37, as amended, because the proposed modification of Kempen in combination with Lastinger does not disclose, teach or suggest a “portable handheld off-board computer wirelessly [that] receives information regarding the destination of the cargo and at least some of the I/O status information from the control system.”

Kempen does not motivate, teach, or suggest the need for or any benefit of a vehicle system comprising “a portable handheld off-board computer including a display and an operator input device; wherein the portable handheld off-board computer wirelessly receives a radio frequency signal from the cargo stored in the storage compartment; and wherein the portable handheld off-board computer wirelessly receives information regarding the destination of the cargo and at least some of the I/O status information from the control system.” Lastinger

does not appear to motivate, teach, or suggest the need for or any benefit of a vehicle system comprising “a portable handheld off-board computer [that] **wirelessly receives information regarding the destination of the cargo** and at least some of the I/O status information from the control system.” Lastinger appears to teach an inventory control system in a vehicle that “may be used to determine the weight and distribution of the load on the storage units in the vehicle” (Lastinger at para. [0047]).

Applicants respectfully submit that the subject matter recited in independent claim 37, as amended, and the claims which are dependent thereon, considered as a whole, would not have been obvious to a person of skill in the art and are patentable. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. § 103(a).

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Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check or

credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 1-22-07

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